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13 Attorneys for Plaintiffs

15 **UNITED STATES DISTRICT COURT**  
16 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

17 KATHERINE CODY; PATRICIA MOORE;  
18 ROBERT WHARTON; APRIL ANTHONY;  
19 LARRY CABRERA; JOSEPH ROSE;  
20 STEPHANIE RINGSTAD; ALEXANDER  
RICHARD WILSON, TAMARA ROBINSON,  
21 PHILIP WILLIAM LEWIS and ALBANY  
HOUSING ADVOCATES, a California non-  
profit public benefit corporation,

22 Plaintiffs,

23 v.

24 CITY OF ALBANY; ALBANY POLICE  
DEPARTMENT; and MIKE MCQUISTON, in  
25 his official capacity as Chief of Police;

26 Defendants.

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**CASE NO. C 13-05270 CRB**

**STIPULATION AND ORDER  
REGARDING AMENDMENT TO  
COMPLAINT AND TIMING OF  
RESPONSIVE PLEADING**



1  
2 Plaintiffs Katherine Cody, Patricia Moore, Robert Wharton, April Anthony, Larry Cabrera,  
3 Joseph Rose, Stephanie Ringstad, Alexander Wilson, Tamara Robinson and Phillip Lewis, and  
4 Albany Housing Advocates (collectively, "Plaintiffs") and Defendants the City of Albany, Albany  
5 Police Department, and Mike McQuiston, in his official capacity as Chief of Police, (collectively,  
6 "Defendants"), by and through their undersigned counsel, hereby stipulate as follows:

7 WHEREAS Plaintiffs filed a Complaint in this matter on November 13, 2013 and served it  
8 on Defendants that same day;

9 WHEREAS Defendants have not yet filed or served a response to the Complaint;

10 WHEREAS Plaintiffs desire to amend the Complaint to reflect new facts, revise the  
11 asserted causes of action, add new plaintiffs and/or claims for relief, and otherwise take into  
12 account developments since the Complaint was filed;

13 WHEREAS Fed. R. Civ. P. 15 provides this Court with broad discretion to allow amended  
14 pleadings and to schedule responses to those pleadings;

15 WHEREAS an initial case management conference is scheduled for February 14, 2014,  
16 and the Parties do not now seek to change that date;

17 WHEREAS Defendants do not object to Plaintiffs filing an amended complaint,

18 THEREFORE, Plaintiffs and Defendants stipulate and agree on the following, and request  
19 an Order permitting (1) Plaintiffs to file a First Amended Complaint on or by December 16, 2013,  
20 and (2) Defendants to respond to this amended complaint no later than January 20, 2014.

21 Dated: December 3, 2013

22 Respectfully submitted,

23 KILPATRICK TOWNSEND & STOCKTON LLP

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25 By: /s/ Maureen A. Sheehy  
26 MAUREEN A SHEEHY  
27 Attorneys for Plaintiffs

Dated: December 3, 2013

Respectfully submitted,

# RICHARDS, WATSON & GERSHON

By: /s/ Toussaint S. Bailey  
TOUSSAINT S. BAILEY  
Attorneys for Defendants

## **FILER'S ATTESTATION**

Pursuant to Civil L.R. 5-1(i)(3) regarding signatures, I, Maureen A Sheehy, attest that concurrence in the filing of the document has been obtained from the other signatory. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 3<sup>rd</sup> day of December 2013, at San Francisco, California.

/s/ *Maureen A. Sheehy*

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Maureen A. Sheehy

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2 PURSUANT TO STIPULATION, IT IS SO ORDERED.  
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DATED: December 6, 201

